

LEGISLATIVE REVIEW

INSTITUTE OF GOVERNMENTAL

LOS ANGELES COUNTY HUMAN RELATIONS COMMISSION LIBRARY

Final summary and update of previously reported and other selected California legislation with potential implications for human relations/rights introduced in the

1975/1976 SESSION OF THE STATE LEGISLATURE

MAR 31 1977

JANUARY 1977

EDUCATION

UNIVERSITY OF CALIFORNIA

SB 1737 (Dunlap) Intermediate and Secondary Education

Incorporates recommendations from the RISE Commission (Reform of Intermediate and Secondary Education). Recognizes that each student is entitled to learn, grow and develop in an individualized manner. Requires development of learner standards, and minimum standards of student competence in English and mathematics. Provides for a system of state evaluation of the program and appointment of planning grants by the Superintendent of Public Instruction. Vetoed by Governor.

AB 3409 (Hart) Decentralization

Would require school districts with an average daily attendance of 10,000 or more to designate as decentralized schools at least 20% of the schools under its jurisdiction and to delegate to the principal or instructional staff, or both, of each such school certain functions and duties, to include: hiring of certificated employees and instructional aides; expenditure of school-site discretionary funds; development of curriculum with involvement of parents and students in secondary schools. Died in Committee.

AB 4273 (Vasconcellos) Educational Goals

Requires the State Department of Education to establish, maintain, and supervise a statewide process for setting and collecting educational goals for elementary and secondary schools. Died in Committee.

AB 4172 (Chacon) Bi-lingual Education

Would repeal existing Bi-lingual Education Act and enact a new comprehensive body of law regarding bi-lingual education. Major provisions include: adoption of implementing regulations by the State Board of Education by January 1, 1977; requirement that school districts undertake a census of limited or non-English speaking students; districts with fewer than 10 limited or non-English speaking students would be required to reimburse the parents of such students in private school; permit local agencies providing child development programs and having a prescribed percentage of limited or non-English speaking children, to provide bi-lingual instructions, using State or Federal funds. Died in Committee.

AB 3647 (Hart) Student Discipline

Would require that suspension of a student be preceded by a conference between school officials, the student and his or her parents, except in emergency situations constituting a clear and present danger to the lives, safety or health of students or school personnel. Died in Committee.

AB 3408 (Hart) Intermediate and Secondary Schools

Requires state Board of Education to prepare performance indicators of minimum academic standards for graduation and a framework for assessing student proficiency in reading, writing and computation skills at intermediate and high school levels. Requires active involvement of parents, administrators, teachers, and students in adopting alternative means for students to complete required course of study. Signed by Governor.

AB 270 (Vasconcellos) Student Participation

Provides for a student as a non-voting member of the Board of Education in any district which maintains one or more high schools. Signed by Governor.

AB 1329 (Chacon) Bi-lingual Education

Contains major provisions as well as extension of bi-lingual, bi-cultural education law. Signed by Governor.

SB 1641 (Rodda) Education Financing

This is the major financing bill, providing \$272 million for support of public schools. Signed by Governor.

EMPLOYMENT

AB 3124 (Dixon)

Changes the name of the State Fair Employment Practices Commission to California Civil Rights Commission. Restructures the agency to permit greater latitude, flexibility and coordination in dealing with discrimination in employment and housing. Strengthens the enforcement of employment opportunity laws and affirmative action capability. For example, the Commission or the Division of Civil Rights is authorized to initiate enforcement actions when the general purposes of the Act are being violated. Also permits delegation of authority and responsibility to appropriate local governmental agencies, such as city and county Human Relations/Rights commissions. Died in Committee.

AB 3729 (Alatorre) Fair Employment Practices

Prohibits employment discrimination because of age (35-65) or marital status. Increases from one year to two years the time allows for filing a complaint alleging an unlawful employment practice. Would establish a committee whose actions are subject to review by the State Fair Employment Practice Commission, to examine affirmative action and equal employment opportunity program of apprenticeship sponsors, and of persons contracting the State and supplying goods and services to the State. Died in Committee.

SB 2159 (Robbins) Fair Employment Practices

Appropriates an unspecified amount to the State Fair Employment Practices Commission for the purpose of enabling the Commission to increase staff and materials to pursue employment discrimination complaints within its jurisdiction. Died in Committee.

HOUSING AND COMMUNITY DEVELOPMENT

AB 3124 (Dixon) — See Summary under Employment

Defines full scope and responsibilities of the new Commission and Division of Civil Rights with regard to housing. Changes relating to housing not as extensive as those concerning employment, but include authority to initiate enforcement actions for violation of fair housing laws. Passed Assembly. Died in Committee.

AB 2594 (Hughes) Redlining

Would amend the Rumford Fair Housing Act (which currently prohibits discrimination on the basis of race, religion, national origin, sex, marital status or ancestry) to include prohibition of discrimination in the provision of financial assistance to creditworthy persons for the "purchase, construction, rehabilitation, improvement, or relocation of housing accommodations," because such accommodations are located within a certain geographical area. Died in Committee.

SB 1810 (Gregorio) SB 1997 (Zenovich) AB 4301 (Chacon) Housing and Community Development

These bills are designed to make changes affecting the operation of the State Housing Finance Agency. They would revise existing provisions in the law relating to financing and loan insurance assistance in certain deteriorated residential areas, and areas which lack available mortgage financing. SB 1810 Signed by Governor. AB 4301 Died in Committee.

AB 3672 (Montoya) Community Redevelopment

Makes substantial changes in redevelopment law affecting inclusion of non-contiguous areas in redevelopment plans utilizing tax increment financing. Includes provisions for low and middle income housing and establishes a fiscal review committee which would have some veto power. (Part of a Montoya redevelopment package.) Signed by the Governor.

JUVENILE JUSTICE

AB 3131 (Dixon)

This is considered this year's major juvenile justice reform legislation and incorporates provisions of several other bills. It provides for jail detention and prosecution in adult court of 16- and 17-year-old repeat offenders accused of specified crimes (violent felonies); District Attorney would act as prosecutor in specified serious crimes; proposes substantially different treatment for "status offenders" such as runaways and truants. The thrust of the bill as expressed in proposed revisions of the purposes of juvenile court law, is to "protect the public from criminal conduct by minors and to impose on a minor a sense of responsibility for his own act." Signed by Governor.

SB 1598 (Robbins)

Similar to AB 3121 (above). Provides even harsher approach by giving arresting officer the power to jail and handle as adults 16- and 17-year-old first offenders accused of certain crimes. Died in Committee.

A series of bills by Assemblyman Sieroty AB 3894-99, dealing with revisions in the juvenile court law ranging from specialized treatment of non-delinquents to granting minors the right to a hearing before a judge rather than a referee, all died in committee. However, the provisions of several were amended into AB 3121 (above) as were the major provisions of AB 2672 (Torres) making numerous procedural changes in juvenile court law, including giving probation officers broad discretion in establishing shelter care facilities.

STATUS OF WOMEN

Ab 1747 (Maddy) Divorce

Makes the law on spousal and child support apply equally to men and women. Signed by Governor.

SB 1760 (Dunlap) Veteran's Points

Reduces the current point system of veteran's preference points allowable for California State Civil Service Examinations from 10 to 5 for veteran's and surviving spouses and 15 to 10 for disabled veterans. Also limits use of veterans points to 8 years. Died on Senate Floor.

AB 2802 (Vicencia) Child Development Services

Changes fee schedule for individuals utilizing child development programs and eligibility income levels for individuals applying for child development programs. Died in Committee.



C123318372

STATUS OF WOMEN (Continued)

AB 3059 (Foran) Child Development Services

Revises criteria and fee schedules for child development services; specifies requirements for participation in programs. Passed Assembly. Signed by Governor.

AB 3678 (Berman) Credit Reporting Agencies

Would require credit reporting agencies to separate records or cross-reference information of joint credit accounts under the name of each joint account holder. Signed by Governor.

AB 2026 (Alatorre) Equal Pay

Provides that the same wages be paid to all employees performing substantially the same work. Died in Committee.

AB 2952 (Hughes) Displaced Homemakers

Provides for an additional Displaced Homemaker Service Center to be established in Los Angeles and extends current funding for such centers to January 1, 1979. Died in Committee.

SB 848 (Rains) Unemployment

Removes "domestic quit" disqualification for unemployment insurance benefits; removes sex discriminatory eligibility criteria for assignments to Work Incentive (WIN) Program. Signed by Governor.

SB 1051 (Garamendi) Insurance

Requests the Department of Insurance to conduct a study to determine if differential insurance rates charged to men and women are based on current and sound statistical data. Referred to interim study.

SB 2060 (Mills) Discrimination: Marital Status; Sex

Omnibus bill to effect language change in selected California Codes, making the codes sex neutral. Signed by Governor.

AB 3605 (Goggin) Victims of Sexual Offenses: Examination

Established medical protocol for examination and treatment of sexual assault victims. Incorporated into SB 575.

SB 574 and 575 (Robbins) Rape

SB 574 prohibits the granting of probation to individuals who have previous rape convictions. SB 575 sets procedures to be followed by county hospitals in examination and treatment of rape victims; requires preparation of guidelines and training courses relating to the investigation of sexual assault cases by the Commission on Peace Officers Standards and Training (POST). SB 574 Died in Committee. SB 575 Signed by Governor.

SELECTED OTHER

SB 42 (Nejedly) Criminal Justice

Replaces indeterminate sentences with court set sentences. Provisions include requirement that notice be given to various officials regarding Community Release Board hearings of prisoners accused of specific crimes. Also, public transcripts of these hearings are to be made available, and reasons for granting or denying parole must be given. Signed by Governor.

SB 627 (Behr) Prisoner's Rights

Provides workers compensation to prisoners injured in the course of assigned work. Signed by Governor.

AB 3060 (Keene) Right to Die

Allows any adult person to make a written declaration requesting withdrawal of extraordinary life sustaining procedures when they would serve no medical purpose except to artificially delay death. Signed by Governor.

AB 3080 (Berman) Arab Boycott

Enacts provisions designated to discourage Arab Boycotting of firms doing business with Israel. Signed by Governor.

SB 1352 (Way & Zenovich) Physically Handicapped

Authorized local appeal boards to review action of city or county building departments in enforcing access to public accommodations by physically handicapped persons. Effective August 31, 1976 without Governor's signature.

AB 1032 (Vasconcellos) Mental Patients' Rights

Gives patients the right to consent or refuse electro-convulsive shock treatment. Prohibits the shocking of minors under sixteen and gives 16- and 17-year-olds the same right to informed consent as adults. Would require a judicial finding that the patient is incapable to giving consent in order for treatment to be provided without consent. Signed by Governor.

AB 2479 (Torres) Asian and Pacific Island Commission

Would have created a Commission on Asian and Pacific Island American Affairs to advise state departments and agencies regarding appropriate action to help ensure that state programs provide assistance needed by Asian and Pacific Island Americans and Asian and Pacific Island surname residents. Died in Committee.

AB 3413 (Hart) Child Advocacy System

Would enact the California Child Advocacy Act, establishing a Council for Children and Office of Child Advocacy, with broad powers in all state programs relating to children. Purposes of the act are to establish a California children's policy which will provide the framework for focusing state resources on the special considerations and total needs of children; fix responsibility for assuring that children and their families receive needed services; consolidate or coordinate programs of proven effectiveness; evaluate existing programs for children; and determine the amount and types of funding and manpower required to extend effective services for children throughout the state. Died in Committee.

AB 4302 (Ralph) Family, Children and Parents Service Act

Would establish a state Children and Parents Service Department and County children and parents administrative units to provide a system of community children and parents service, children protective adoption and guardian service. Would also establish a state Children and Parents Service Council; transfer all federal funds to the department; and require each county to maintain current service expenditures without matching federal funds. Died in Committee.

AB 4251 (Dixon) Welfare

Would raise grants for families on Aid to Families with Dependent Children. Grant levels would be raised over a three-year period to the poverty subsistence level determined by the Federal Office of Economic Opportunity. This would mean an increase of 60 to 70 dollars per month for most families. Died in Committee.

SB 173 (Behr) Senior Citizens

Would require a medical and audiological examination before anyone could purchase a hearing aid. Died on Assembly floor.

*Legislation signed by the Governor is effective January 1, 1977, unless otherwise indicated.

Your comments and contributions regarding legislation of potential human relations impact will be appreciated. Please contact

Larry Aubry, Legislative Specialist
Los Angeles County Commission on Human Relations
Suite 1184, 320 West Temple Street
Los Angeles, California 90012
(213) 974-7626